

DOCUMENT RESUME

ED 148 009

EA 010 210

AUTHOR Bailey, Stephen K.
 TITLE The Impact of Federal Policy on Education.
 PUB DATE 2 Nov 77
 NOTE 20p.; An address for the University Lecture Series, Department of Educational Administration, College of Education, Temple University; Not available in paper copy due to marginal legibility of original document

EDRS PRICE MF-\$0.83 Plus Postage. HC Not Available from EDRS.
 DESCRIPTORS College Students; *Educational Finance; Equal Education; *Federal Aid; *Federal Government; Federal Legislation; *Federal Regulation; Foreign Students; Futures (of Society); *Higher Education; International Relations; Part Time Students; *Policy; Private Colleges; Research and Development Centers; State Schools; Student Financial Aid

ABSTRACT

The greatest watershed in federal higher education policy was the Educational Amendments of 1972 that involved the federal government in support of higher education through aid to students. Future fruitful steps in federal legislation would be student-aid policies that allow recipients more institutional choice; meet the needs of part-time students; and promote international understanding by developing a new program for foreign students. In regard to federal policies governing research, colleges and universities should be given annual institutional grants that would enable them to keep their libraries, laboratories, specialized facilities, and technical staffs intact and in good health. Federal funds should be appropriated for infrastructural grants to the 30 or 40 key centers of advanced foreign affairs research in the U.S. A third policy frontier is the need for federal attention to the health of academic pluralism in the United States. Improvements in the regulatory process should continue to be high on the unfinished agenda of federal higher education policy. (Author/MLF)

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ED148009

The Impact of Federal Policy on Education

An address for the University Lecture Series,
Department of Educational Administration, College of Education,
Temple University, Philadelphia, Pa., November 2, 1977

by

Stephen K. Bailey
Professor of Education and Social Policy
Harvard University

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Stephen K. Bailey
TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC) AND USERS OF THE ERIC SYSTEM."

A few years ago in a keynote address to the American Council on Education on Education and the State I tried to suggest how intimately education is and always has been related to public authority. I attempted to give a balanced view of the government's legitimate interest in education and vice-versa. I warned higher education against any assumption that it was somehow removed from public accountability, and I warned the government against suffocating higher education--thereby destroying its social utility.

I presently look back upon this balanced view with nostalgia. After four years of watching governments encroach increasingly on some of education's sacred autonomies, I am somewhat angrier and considerably more distraught than I was in 1973. My real problem is that I am not sure who I am angry at, or what I am distraught about.

There are moments, of course, when I am free of such anguish--when I am not doubtful at all, when I know the true villains: metastatic, unfeeling, and power-mad politicians and bureaucrats in Washington and in the state capitols, and imperial justices at all levels, set upon destroying the essence of civil learning. But such moments of therapeutic anger do not last.

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Some of my best friends are bureaucrats, politicians, and judges. They, like us, are caught in bignesses they did not create, in value conflicts they did not invent, in trade-offs they did not invite. In their several policy roles, they want to help society not harm it, improve education not destroy it, enhance justice not pervert it. But they and their proliferating staffs see education costing more and more money in the face of results (I think they are now called "outputs") that are increasingly dismal or at least ambiguous. Furthermore, the worst of education, like the worst of anything else, is tawdry, inertial, self-serving, and sometimes venal; and unfortunately in every vortex of social change it is the flotsam and jetsam that tends to bubble to the top. The heavy and valuable objects remain below the surface.

To complicate matters further, if I were playing a debaters role this afternoon, I could make a strong case that most of the impact of government--at least Federal and State governments--on education in the past couple of decades has been salutary, beneficial, and benign. Governments have provided resources, mandated equities, and catalyzed initiatives that have made American education responsive and democratic beyond the wildest hopes of reformers a generation ago. Young and old who a few decades ago were, to use Sam Goldwin's phrase "included out" of formal education, now find themselves surrounded by life-long educational opportunities.

So, to coin a phrase, it is the best of times, it is the worst of times. And in such a setting the task of Colleges of Education is not to look backward in anger or forward in fear, but as James Thurber admonished us, "around in awareness." Let's get rid of villains and heroes and talk about the real world.

I want to approach the subject of the Impact of Federal Policy on Education in terms of the part of the world that I know best: the higher academy. And I wish to talk about impact in terms of an unfinished agenda--a continuing dynamic.

One must begin, I think, with a startling acknowledgement. For all intents and purposes the very notion of Federal higher-education policy is barely a decade-and-a-half old. The wonder is not that there is an unfinished agenda. The wonder is that there is any agenda at all. It is true that a lot of Federal policies over the past century or so have deeply affected higher education in this country--witness the effect of the nation's wars from the Civil War to Vietnam, or the effects of government-influenced costs of energy on the budgets of a Syracuse or a Dartmouth. But even when Federal policies seemed to be specifically targeted on higher education, as was the case with the Morrill Act, or the National Youth Administration during the New Deal, or the GI Bill, or the National Science Foundation, or the National Defense Education Act post-Sputnik,

higher education was viewed as an instrument for achieving some other national purpose; agricultural and industrial growth, the relief of youth unemployment, the reward of veterans, the conquest of nature and of disease--often in competition with the Soviets. It has only been since the mid-1960's that Federal policies have been designed to give various kinds of support to higher education as an end in itself, as a national value to be underwritten with substantial Federal largess. Even this recent development must be placed in the context of an historic tradition that has treated higher education as a state or private rather than as a Federal concern. The Federal government still accounts for only one out of every four dollars that go into the nation's colleges and universities. If its presence looms larger than that fraction suggests, it is in part because of the very novelty of substantial involvement.

Perhaps the greatest watershed in Federal higher education policy was the Educational Amendments of 1972. A long and complex piece of legislation, the Amendments involved the Federal government inexorably in support of higher education through aid to students. This was not what the higher education associations wanted at the time. They preferred aid to institutions based upon a student per-capita formula. But a combination of political and philosophical considerations led to the triumph of the student-aid approach. The basic rationale was that the Federal government's major concern should be to equalize educational opportunity by providing aid to those who need it, and that putting money in the hands of students would provide a market mechanism for improving the quality and efficiency of colleges and universities through competitive consumer choices.

The present student-aid package, refined by the Education Amendments of 1976, includes basic opportunity grants, supplemental opportunity grants, college work study, State student incentive grants, the National Direct Student loan program, and the National Guaranteed Student Loan program. Additional student aid, of course, is to be found elsewhere--notably in the Social Security program, in the Veteran's Administration's GI Bill, and in the military's educational allowances.

It would be unnecessarily tedious to go into detail about each of these programs. Suffice it to say that most of them are basically needs-oriented--either by formula or by Federal guidelines and regulations. Their total impact upon higher education has been extraordinary. In the five years, 1971-76, Federal student aid jumped from \$1.6 billion to \$6.8 billion. At least 10 million young people have benefitted to date. The key beneficiaries, as was contemplated in the legislation, have in truth been young people from low-income families.

In spite of technical problems related to needs-assessment, the cumbersomeness of administrative implementation, and the timing of appropriations, Federal student aid has been a triumphant public policy. It has helped students and families who have needed help. It has provided colleges and universities with enrollments and with income that would otherwise not have been available. It is and will in my estimation remain the keystone in the arch of Federal higher education policy. A case can be made--in fact is insistently made in the Executive Branch--that various

student-aid programs should be consolidated or eliminated as the Congress approaches full funding of the basic opportunity grants. Various technical adjustments are still needed to improve the administration of the programs. Some tightening up of accountability systems is warranted in order to preclude the spreading of sloppy or even corrupt practices by a few institutions or student beneficiaries. But the basic concept of Federal student aid seems to be soundly in the public interest.

There are, however, three major items on the unfinished agenda of student aid. They can be put in the form of questions: first, granted student aspirations for choice as well as access, how can Federal student-aid policies be adjusted so that students have equal opportunity to attend public-residential and private-residential institutions of higher learning as well as those institutions that are within commuting distance of a student's home? To pretend that equal opportunity for higher education means a central-city community college for the ghettoed Black or Chicano, but Penn State or Swarthmore for the middleclass, does not conform to most people's sense of equity. The logic is not that everyone should have the right to go to Princeton or Stanford. Actually, the most talented youngsters from low-income families already have an excellent chance for Stanford or Princeton. The real issue is the problem faced by the ordinary, basically qualified, ghettoed youngster who simply cannot find the \$2,000 needed beyond tuition for room and board at a residential institution. This is not to denigrate the important work being done by central-city community colleges. It is to ask whether students should be forced by economic circumstances to attend community colleges only?

Second, in view of the fact that part-time students, many of them older students, now constitute a majority of higher-education student enrollments, how can student aid be extended to meet the needs of the needy part-time student who is presently not eligible for student aid? We talk blithely about "life-long learning" and "recurrent education". But there are whole categories of potential learners who will not be able to take advantage of higher-education opportunities because of personal-income constraints. Why is the part-time student any less worthy of Federal student aid than the full-time student? As the demographic curves of the next decade reduce the number of 18-year-olds in the population, many institutions of higher education will have surplus facilities. One way to utilize those facilities is to provide Federal aid to part-time students--including housewives and old people--who want to improve themselves and their contributions to the political economy and the national culture. Federal support for brokerage institutions like Syracuse's Regional Learning Service is another essential aspect of helping the part-time student.

Third, is there not an enormous opportunity ahead to promote international understanding by developing a new program of Federal aid for foreign students? The perverse reality is that in the very decade when the number of American 18-year-olds will be declining by 20 percent, the number of 18-year-olds in the Third and Fourth worlds will skyrocket. Education is at the very heart of prudent world development. Roughly 200,000 foreign students come to the United States each year to study. An increasing number of these are from oil-rich nations. Whatever advantages accrue to OPEC nations and to the United States from turning oil revenues into tuition, great areas of Latin American, Africa, and

South Asia are left out of such bargains. What greater investment could the United States government make in the future development and stability of the world than to shift large portions of AID money in the years ahead to the appropriate use of underutilized American educational facilities for the advanced training of selected foreign nationals? Why should American dormitories and laboratories lie vacant when the world's hunger for education is insatiable?

I do not underestimate the difficulties. American colleges and universities have had enough experience with foreign students to know that problems of English-language facility, culture shock, color prejudice, the brain drain, and sometimes a lack of congruence between what the U.S. academy can supply educationally and what countries abroad believe they need in the way of trained manpower--all of these issues are sticky wickets. But, surely, the world has the brains and the imagination to overcome these difficulties if the concern and the commitment can be unlocked.

I need hardly remind this audience that the advantage of an increasing number of foreign students on American campuses is not only in what American higher education can do for them. We desperately need to internationalize American education for the benefit of our own young people who will spend an increasing amount of their time in the years ahead with problems of coping with international realities.

So, in sum under my first major point, I see student-aid policies addressed to choice, to part-time students, and to foreign students as particularly fruitful next steps in Federal legislation. When I am invited back to Temple next time, I hope to have something useful to say about a

fourth student-aid notion: giving particularly lucrative student assistance to young people who have performed two years of particularly distasteful national service: in the ground troops of the military, in caring for the aged and mentally infirm, in physically strenuous conservation activities, and so on. But this needs more careful fleshing out before it can be responsibly presented as a proximate policy option.

Let me turn next to Federal policies governing research. I do not know anyone who is really satisfied with Federal R & D policies. Not enough is spent on basic research, too much is spent on basic research; too much is spent on the sciences, especially the biological sciences at the expense of the social sciences and humanities; not enough is spent on conquering disease; too much is spent on remedial rather than preventive measures. You know the cacophony as well as I do. And, periodically, of course, Senator Proxmire gives his "Golden Fleece" award for the silliest research topic supported with Federal funds.

I have had reason to think long and hard about a more rational way for the Federal government to allocate funds for research. It is presently a crazy quilt pattern. And yet, with all of the present distortions and anomalies, there may in fact be no truly rational way to determine the total Federal R & D budget or allocations within it. How much is enough for space research, for medical research, for energy research, for educational research, for basic research, for oceanographic research, for social research, for defense-related research, for research in the humanities? Should research money go only to high-status professors in prestigious

institutions? Should it be distributed according to the scientific canons of congressional politics--so much for each state or congressional district?

Federal research policy is today the resultant of fairly savage social combat. This can be unlovely. It can reveal a startling lumpiness of advantage to the well-connected--especially where academic brains and industrial power have developed symbiotic accommodations. But rational alternatives do not come trippingly to the tongue. One can conceive of a research czar in the White House, but the history of the impact of Presidential science advisors upon the Federal budgetary process has not been all that encouraging. Furthermore, the thought of allowing one mind to roam across not only science but the entire range of knowledge-production is on the face of it ridiculous. On the other hand, if one substitutes committees or councils for the judgments of an individual, research policy tends to become one gigantic log-roll--which is what we have in part right now.

I see little reason to be disheartened. During my adult lifetime, Federal support for R & D has gone from \$74 million in 1940 to \$23.6 billion in 1977. Ninety percent of all Federal funds for basic research are spent in colleges and universities. The National Endowments for the Humanities and Arts have fared well under both Republican and Democratic administrations. Mission-oriented research fluctuates according to the priorities of public anxieties, but I see nothing really wrong with such fadism. We are simply trying, as a nation, to scratch where it itches.

But if everyone else can weigh in with his pet prejudices for research priorities, I see no reason why I should not weigh in with two of mine. One of mine is very general; the other is very specific.

Since colleges and universities are the main font for producing research talent of all kinds in this nation, and are in consequence a vital national asset, I firmly believe that the Federal government should bear, on a continuing basis, a part of the burden of sustaining what might be called the "infrastructural research capacity" of institutions of higher education. There are precedents here. The Office of Naval Research, NASA, NIH and other research-oriented Federal agencies have in the past given infrastructural grants of various kinds: for specialized libraries, for buildings, for laboratories, for support staff, for computers, for esoteric equipment. Too often, however, these have been one-shot allocations with no follow-up grants for repairs and replenishments. Based upon appropriate appraisals and formulae, colleges and universities should be given annual institutional grants--"infrastructural-research-capacity" grants--that would enable them to keep their libraries, laboratories, specialized facilities and technical staffs intact and in good health. This is a part of higher education that is not effectively helped by student-aid funds. It is the part of higher education that tends to be eroded by inflation or by campus decisions governing deferred maintenance. In the long haul, in the exciting and necessary intellectual game of truth and consequences, a research infrastructure in disrepair can have consequences for truth. A half-billion dollars a year of Federal institutional grants for the support of the research infrastructure of our colleges and universities would

be one of the soundest investments this nation could make in its own and the world's future.

My second research-policy proposal is really a specific illustration of the first. I refer to the neglected field of advanced foreign affairs research. In the final analysis, our national security and our capacity to play a creative and constructive role in world affairs depend upon our knowledge of the habits, intentions, capacities and mind-sets of other nations. We have learned this lesson painfully and inconclusively in this turbulent century. Not a half-dozen Americans knew Southeast Asia in sufficient depth to predict the Vietnam debacle. When Angola erupted a couple of years ago, the "I and R" division of the Department of State looked virtually in vain for American scholars who knew anything at all about that part of the world.

During the 50's and 60's, the Ford Foundation invested \$200 million in the creation of a number of centers of advanced foreign affairs research on American university campuses. From these centers came seminal books and articles that, in the best sense, complicated the deliberations of our top policy makers. Soviet-watchers in prestigious Russian Institutes, China-watchers in well-supported Far Eastern Centers, NATO-watchers in Europe-oriented academic enclaves--these have been of incalculable value to our political and military leaders.

The stark reality is that the very fabric of these centers of advanced foreign affairs research is becoming unraveled. Some have had to close their doors. Many are in danger of closing. The Ford Foundation has virtually discontinued its support for such activities.

For about two years, some of us in ACE and in key universities have been trying to find a source of Federal funds for infrastructural grants to the 30 or 40 key centers of advanced foreign affairs research in the U. S. With the support of Kissinger and Vance, and now particularly with the expressed interest of Commissioner Boyer in HEW, we may be close to a breakthrough. But victory is not certain, and until it is I want to take advantage of opportunities like the present one to re-register my belief that Federal infrastructural grants really must be allocated to those universities that are major centers of advanced foreign affairs research. The quality and success of our global involvements are at stake.

My third policy frontier is the need for Federal attention to the health of academic pluralism in the United States. Twice in the past few months I have attended colloquia on comparative higher education--one in Australia, one in Yugoslavia. It has fallen to me both times to try to give colleagues in other nations an overview of the American higher education system. What a crazy-quilt pattern it is! The word "system" hardly applies. Something that includes as a microcosm Temple, CCP, Penn, Swarthmore, Drexel, and Chestnut Hill within a fifteen-mile radius, defies easy categorization. The Carnegie Council's taxonomy is plausible, but no one will pretend that it illuminates the subtle differences among institutions within a particular class or group.

Some Americans and many foreigners believe that the pluralism of American higher education is a weakness--that we are trying to do too

much for too many and in the process are weakening the very concept of higher education. I disagree. What better way to use a nation's wealth than to provide options for all kinds of people and all kinds of talents in search of further development? Granted it is expensive. I remember a year ago meeting with a half-dozen Soviet educators who were studying our post-secondary system. Among other places, they visited a large, handsome, and beautifully equipped community college in the Bay area of California. They approached a bearded youth replete with sandals and beads and asked if they could ask him a few questions. He agreed. They asked him how he liked it there. The youth replied, "Man, it's a drag-- a real drag! I stopped in a couple of years ago, didn't like it; stopped out; went to Pakistan and Kashmir; had a fight with my guru; returned; got a pad in San Francisco; figured what the hell might as well try the community college again. Maybe I'll stay, maybe I won't."

All this, of course, blew the Russian mind which is rigidly meritocratic about higher educational opportunities. How could a society, even a capitalistic one, possibly waste its money on wastrels? Perhaps we do carry 3rd and 4th chance to an extreme. But I rather like the egalitarian options of America in comparison with the rigid class structure of the Soviet Union.

The most distinctive feature of American academic pluralism is, of course, the number of independent colleges and universities. Even though they educate only 20 percent of American students, the independent sector accounts for half of all higher education institutions. Looking ahead, I am not sure that all of these independent institutions can or should survive. But I could make the same statement about public institutions.

What I am convinced of is that the existence of a strong independent sector of higher education in this country is a matter of utmost significance. My own autobiography is a testament to my belief in the importance of the independent sector. I attended Butler, Hiram, Columbia, and Harvard. I have taught at Wesleyan, Princeton, Syracuse, the University of Pennsylvania, and George Washington. My son went to Amherst, my daughter to Williams; my daughter-in-law is associate director of admissions at Bowdoin. I am on Hiram's Board of Trustees. I care deeply about the future of independent higher education. As Clark Kerr once said, "The greatest protector of academic freedom at Berkely is the proximity of Stanford." This nation would be infinitely poorer if the Hiram and Reeds and Oberlins and Swarthmores and Syracuses and Harvards and Stanfords lost their lives or their vitality. I doubt that the ones I have mentioned will go under, but they might by inadvertence lose their quality.

In policy terms, there is no single action that can be taken by the Federal government to preserve and enhance academic pluralism in America. But tax laws, student-aid formulae, research programs and priorities, and a host of other Federal policies need to be monitored and shaped with the health of academic pluralism in mind. What is important is that those concerned with Federal policies that impact upon our colleges and universities be aware of academic diversity as a national value to be promoted and preserved.

I turn finally to the issue of government regulation. Nothing has

loomed larger on ACE's governmental relations agenda in the past four years. Cries of anguish from member institutions have been heard across the land. It is a world of abbreviations, acronyms, and acrimony: OSHA, ERISA, EEOC, OCR, affirmative action, privacy, Section 504, reporting burden, Title IX, consumerism, and, in the immortal words of the King of Siam, etcetera, etcetera, etcetera. Derek Bok believes government regulation to be the single most serious threat to Harvard's integrity in the years ahead. In effect, in areas of discretion once reserved to university administrators and faculty--e.g., structural details of physical facilities; retirement policies; admissions criteria; the hiring, firing, and promotion of faculty and support staff; the content of college bulletins; the handling of student records;--government regulation is now rampant. If these and a host of other regulatory matters are not to be treated cynically, they must carry with them instruments of enforcement and bench-marks of compliance. This means the issuance by government of detailed regulations and guidelines, the solicitation of an endless number of forms and reports, on-site monitoring by government agents often representing three or four different agencies on similar or identical business.

I remember vividly the reaction of one college president upon learning what would be involved in complying with the new 504 regulations governing equal access for the handicapped--the sheer cost of remodeling physical facilities; the forms, reports, and site-visits to be endured. He threw up his hands and said bitterly, "What the hell's the use?"

The "use" of course is that some historic injustices are belatedly being corrected, and that the withdrawal symptoms from the psychic comfort

of the drug of injustice are excruciating. To pretend that historically colleges and universities have been fair to minorities, women, and handicapped; to pretend that they have been scrupulous in the handling of student and faculty records; to pretend that they have been meticulous about the safety of buildings and equipment; to pretend any of these things is to gloss over thousands of examples to the contrary.

Few will question that the government's machinery for insuring compliance is grimly inefficient and often contraproductive. But there is no simple syllogism that moves from the premise of "government bungling" to the conclusion that we ought to drop the whole business and get back to the status quo ante.

The unfinished policy agenda for government regulation is not to scrap all regulations. It is the maddeningly difficult task of the higher-education community--especially through its Washington-based associations, --working with and through all three branches of the Federal government in developing alternative and more effective ways of approximating the norms of the nation's evolving social conscience. This will mean placing a greater burden of self-policing on individual institutions and institutional systems. It may mean new acts of social invention--perhaps new kinds of privately run program audits. It will mean wherever possible developing hearing and grievance procedures on campus--procedures that are patently so fair as to discourage litigiousness through the ponderous apparatus of "the Great Leviathan."

Above all, it will involve a determination by college and university

leaders to exercise their leadership in the correcting of past injustices.

"Self-discipline," John Gardner once wrote, "is the yoke of free men."

There is justification, I believe, for Federal relief to colleges and universities forced to the wall financially by the cost of complying with governmental mandates. ACE and its sister associations will continue to press the President and the Congress for such relief. But in the long haul we will get the kind of governmental regulation we deserve. Improvements in the regulatory process should continue to be high on the unfinished agenda of Federal higher-education policy. I only submit that those improvements are most likely to occur as a result of interstitial dialogues between higher education associations--well informed by their membership--and relevant Federal officials and legislators.

So much I have left out, especially in areas where Federal-state relations and institutional academic interests intersect. But you live with these problems every day and know them better than I do.

I leave Washington with a sense of optimism. If the higher-education associations can contain their occasional fratricidal tendencies, if Congress and the administration can remain sensitive to the needs and concerns of the higher education community,--above all, if the higher education institutions themselves can demonstrate by their behavior and by their services their value to the surrounding polity, there is no real reason for us to fear the future. I have suggested some policy salients in the fields of student aid, research, academic pluralism and government regulation that seem to me important. Other and equally pressing issues

will occur to you. The important thing is not to despair. The wonderful privilege of living in a democracy is that nothing is frozen. Evils are remediable. Congress, again to quote Emerson, is a standing insurrection. If rascals can be voted in, they also can be voted out.

Ultimately what is far more important than government policy toward higher education, is our own commitment to the enterprise of learning. I have faith that long after present public authorities have left office, long after those in this room have joined their ancestors, one of the glories of the world will be enclaves of seekers after the truth who by their diligence and their flashes of insight will bring sustained meaning and new hope to the human enterprise.